

- UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

4. Attached hereto as Exhibit C is a true and correct copy of an email sent on March 26, 2018 by counsel for Plaintiff-Relator Melayna Lokosky to counsel for Acclarent.

5. In the course of the parties' discussions regarding scheduling matters in this case, counsel for Acclarent have never stated that Acclarent would agree to an extension of the fact discovery deadline beyond July 27, 2018 or that Acclarent would agree to conduct the depositions of William Facteau or Patrick Fabian after July 27, 2018.

6. Attached hereto as Exhibit D is a true and correct copy of an email sent on July 19, 2018 by counsel for Plaintiff-Relator Melayna Lokosky to the Court.

7. Attached hereto as Exhibit E is a true and correct copy of excerpts from the transcript of the deposition of Plaintiff-Relator Melayna Lokosky, taken on April 5, 2018.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 6th day of August, 2018 at Washington, District of Columbia.

/s/ Michael M. Maya  
Michael M. Maya